

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

FELIX RAMIREZ,

Plaintiff,

Case No.: 21-CV-101

v.

WISCONSIN MASONS WELFARE FUND,
and ITS TRUSTEES DAVID BOHL, JASON
MATTILA, MATT QUASIUS, DEAN
BASTEN, JERRY SHEA, LARRY RASCH,
JOHN TOPP, JEFF STAVER, BARRY
SCHOLZ, DAVID HAHN, JIM VICK, WYNN
JONES, MIKE HYATT, WILLIAM
BONLENDER, JEFF LECKWEE, ANDY
REED, PATRICK MCCABE, and TOBIN
BOYLE,

Defendants.

DECLARATION OF DAVID J. HANUS

David J. Hanus declares, pursuant to 28 U.S.C. § 1746 and under the penalty of perjury, that the following is true and correct.

1. I am a partner at the law firm of Hinshaw & Culbertson LLP. Our firm has been retained to represent the Defendants in this action, and I make this declaration in support of their Motion for Summary Judgment. This declaration is based on my personal knowledge.

2. Attached as **Exhibits A and B** are copies of Exhibits 40 and 41 used during the deposition of Plaintiff, Felix Ramirez and referenced on pages 5 and 6 of the transcript, a true and correct copy of which is attached hereto as **Exhibit F**.

3. Attached as **Exhibit D** is a copy of the January 14, 2020 Mercer Human Resources Consulting proposal, an exhibit designated by Plaintiff as Binder 2, Exhibit 12, and used during

the deposition of Mark Traino. The document is referred to on page 60 of Mr. Traino's deposition, excerpts to which are attached as **Exhibit Y**.

4. Attached as **Exhibit E** are the April 23, 2020 Board Meeting Minutes designated by Plaintiff as Binder 2, Exhibit 27, and used during the deposition of Plaintiff, Felix Ramirez. The Minutes are referenced on page 16 of his deposition.

5. Attached as **Exhibit F** is a true and correct copy the March 23, 2022 deposition of Plaintiff Felix Ramirez.

6. Attached as **Exhibit G** are copies of the April 24, 2020 Combined Board Meeting Minutes designated by Plaintiff as Binder 2, Exhibit 28 and used during the deposition of Plaintiff, Felix Ramirez. The Minutes are referenced on page 20 of his deposition.

7. Attached as **Exhibit H** are the July 30, 2020 Board Meeting Minutes designated by Plaintiff as Binder 2, Exhibit 29 and used during the deposition of Mark Traino. The document is referenced on pages 79 and 80 of his deposition.

8. Attached as **Exhibits I, J and K** are copies of Local 599's notices of intent to withdraw from the Fund dated August 21, 2020, designated as Binder 3, Exhibit 4 and used during the deposition of Mark Traino. The letters are referenced on page 12 of his deposition.

9. Attached as **Exhibit L** is a copy of the BAC Local 5 withdrawal letter dated August 28, 2020, designated by Plaintiff as Binder 3, Exhibit 5 and used the deposition of Mark Traino. The letter is referred to on page 108 of his deposition.

10. Attached as **Exhibit M** are copies of the October 22, 2020 Board Meeting Minutes designated by Plaintiff as Binder 2, Exhibit 30 and used during the deposition of Plaintiff Felix Ramirez. The Minutes are referenced on page 25 of his deposition.

11. Attached as **Exhibit N** are copies of the October 23, 2020 Board Meeting Minutes designated by Plaintiff as Binder 2, Exhibit 31 and used during the deposition Plaintiff Felix Ramirez. The Minutes are referenced on pages 35 through 36 of his deposition.

12. Attached as **Exhibit O** are copies of the December 3, 2020 Board Meeting Minutes designated by Plaintiff as Binder 2, Exhibit 32 and used during the deposition of Plaintiff Felix Ramirez. The Minutes are referenced on page 53 of his deposition.

13. Attached as **Exhibit P** is a true and correct copy of an excerpt from the deposition of Mike Hyatt.

14. Attached as **Exhibit Q** are the March 5, 2021 Board Meeting Minutes designated by Plaintiff as Binder 2, Exhibit 35 and used during the deposition of Plaintiff Felix Ramirez. The Minutes are referenced on page 84 of his deposition.

15. Attached as **Exhibits R and S** are copies of the January 2021 cost containment meeting minutes designated by Plaintiff as Binder 2, Exhibits 42 and 43 and used during the deposition of Mark Traino. The minutes are referenced on pages 93 and 94 of his deposition.

16. Attached as **Exhibit T** is a copy of the agreement transferring Local 599's equitably apportioned assets from the Fund to the IHF designated by Plaintiff as Binder 2, Exhibit 60 and used during the deposition of Mark Traino. The agreement is referenced on page 103 of his deposition.

17. Attached as **Exhibit U** is a true and correct copy of Plaintiff's discovery responses, provided on or about February 10, 2020.

18. Attached as **Exhibits V and W** are copies of the 2019 and 2020 actuarial reports provided by United Actuarial Services, Inc. designated by Plaintiff as Binder 2, Exhibits 13 and

14 and used during the deposition of Mark Traino. The reports are referenced on pages 61 and 65 of his deposition

19. Attached as **Exhibit X** is an excerpt from the Sikich financial reports designated by Plaintiff as Binder 2, Exhibit 3 and used during the deposition of Mark Traino. The report is referenced on page 19 of his deposition.

20. Attached as **Exhibit Y** is a true and correct copy of excerpts from the deposition of Mark Traino, including pages already referenced herein.

21. Attached as **Exhibit Z** is a true and correct copy of excerpts from the deposition of Matt Quasius.

22. Attached as **Exhibit AA** is a true and correct copy of excerpts from the deposition of David Bohl.

PURSUANT TO 28 USC § 1746, I VERIFY UNDER PENALTY OF PERJURY
THAT THE STATEMENTS IN THIS DECLARATION ARE TRUE AND CORRECT
AND BASED UPON MY PERSONAL KNOWLEDGE

Dated this 4th day of April, 2022.

/s/ David J. Hanus
David J. Hanus, State Bar No. 1027901